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## VIA ELECTRONIC FILING

July 20, 2006

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
for the District of Delaware  
844 King Street  
Wilmington, DE 19801



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Re: Fairchild's Motion to Strike (D.I. 297);  
USDC-D. Del. - C.A. No. 04-1371 JJF  
*Power Integrations, Inc. v. Fairchild Semiconductor International*

Dear Judge Farnan:

Power Integrations submits this letter brief in response to Fairchild's Motion to Strike (D.I. 297) because there is no reason to disregard the brief in question (D.I. 295) or its showing that Fairchild has again misrepresented the record.

Fairchild accuses Power Integrations of violating Local Rule 7.1.5 in filing a reply brief in support of Power Integrations' Motion for Reconsideration on the issue of the collection versus calculation of damages, but the cited rule is inapposite because Power Integrations sought reconsideration pursuant to the Court's invitation at the May 31 pretrial conference (D.I. 282 at 3:10-14). In fact, given that the Court invited the parties to address the issue at the heart of Power Integrations' Motion, and given that Fairchild ignores this basis for Power Integrations' motion, Fairchild's efforts to strike the reply brief appear to be directed more at getting approval for the filing of a sur-reply than receiving an order striking the reply.

Moreover, even if Rule 7.1.5 applies, the language of the rule does not explicitly prohibit the filing of replies and, importantly, the standard that governs a motion for reconsideration (as opposed to a motion for reargument) suggests a reply brief is in order. *See Corning Inc. v. SRU Biosystems*, No. Civ. A. 03-633-JJF, 2006 WL 155255, at \*1 (D. Del., Jan 20, 2006) (noting that motions for reconsideration can be granted on three different grounds, one of which is "the need to correct a clear error of law or fact to prevent manifest injustice," whereas reargument is to be granted on more narrow and specific bases). Power Integrations' July 13 reply letter brief (D.I. 295) was necessitated by—and responds directly to— inaccuracies in Fairchild's Answer Brief in Opposition to Power Integrations' Motion for Reconsideration (D.I. 290). Power Integrations believes its reply brief will assist the Court; if it does not, the Court can certainly disregard it. Therefore,

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Power Integrations respectfully asks the Court to deny Fairchild's Motion to Strike (D.I. 297) and to resolve the issue of the calculation versus collection of damages (D.I. 265) as soon as possible.

Respectfully submitted,

*/s/ John F. Horvath*

John F. Horvath (#4557)

JXH/jcs

cc Clerk of Court (via ECF and hand delivery)  
Steven J. Balick (via ECF and hand delivery)  
G. Hopkins Guy (via e-mail and first class mail)

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